## GIRL WIDOW SUES RICH CLUBMAN FOR \$25,000.

Mrs. Viola Livingston Brings Supreme Court Action for Damages Against William H. Barnard, Whom She Met Through Newspaper "Personal" Ad.

Through his attorney, George Gordon | half conscious when she was finally attle, a statement was issued to-day permitted to return to her hotel. William H. Barnard, of No. 38 East Sixty-eighth street, the millionaire silk League Club, who has been sued by Mrs. Viola Livingston, of Ossining, N. Y., for \$25,000 damages. Mrs. Livingston is a widow, aged eighteen, and she sues through David J. Goldstone, guardian ad litem, under the appointment of Justice Dugro.

Mr. Barnard, through his counsel, admits a great deal of the allegations made by the fair plaintiff, but denies the most important. In the language of Mr. Battle the worst that can be charged against him is "indiscretion." Admits Indiscretion.

"Mr. Barnard." said Mr. Battle, "was indiscreet enough to answer a personal ad. His motives were beyond question. From the wording of the ad. he as sumed that a worthy person might be in need of aid and he answered it.

"When he met the young woman he assumed the name of W. H. Bailey for onal reasons. He did not know the character of the person he met and did not care to give his real name. The asot made because Mr. Barnard knew that Mr. Bailey was a member of the Union League Club. He did not know iley, and took the name as he ild have taken the name of John Smith or William Jones or Henry Brown or even John Doe.

"It is true that he had dinner with the young woman of the personal, and it is true that he took her for a ride in a cab. During the dinner and the ride he became convinced that she was not the worthy person he thought she might have been, and he decided not to advance her aid in her desire to achieve career on the stage,

"It is also true that she followed Mr. Barrard to Aiken, S. C., and that he saw her there and gave her money to pay her way back to New York. This was doubtless an indiscreet thing to

The allegations of ill-treatment made ngainst Mr. Barnard are Absolutely without foundation. This case will be fought to the last ditch."

William H. Bailey, who has been a n.ember of the Union League Club for thirty-five years, did not seem greatly use of his name by Barnard.

"Accident, bosh!" he snorted.
"I don't go to the club much, and i been possible for this man Barnard to get mail there under my . I shall report this matter of a fellow-member's name in answering a personal, and have Mr. Barfired out of the Union League

A careful search through Ossining, N Y., by Evening World reporters to-day I had been wronged and ignored and of the The McManus Association. failed to reveal even among the oldest inhabitants any trace of the residence there at any time in the past eighteen

Here is the personal that caused all the trouble:

#### The Little Personal.

The "personal" read as follows:

A YOUNG LADY, aged eighteen, considered exceptionally attractive and talented, hopes this will reach the eyes of some one who will assist her in fitting herself for a theatrical career. F. R. In her sworn statement Mrs. Living-

ston says that in response to this advertisement she received a letter from liam R. Barnard, signed "William T Carroll." In the answer Barnard offered made for a meeting at the Hotel Gren-

She further alleges that she met Barnard by appointment and that he told her his true name was W. H. Balley, and that the name "Carroll," which he had signed to his first letter, was assumed. After an extended conversation in reference to her proposed career, he invited her to drive with him in Central Park. She accepted the invitation and declares that, against her protests and entreaties, he compelled her to remain with him in a closed car-

riage for a long time. In her statement to the court Mrs. At the Grenoble Hotel it was learned that Mrs. Livingston had stopped there Livingston alleges that she was only from May 27 to and including May 29.

## FIRED ON FUGITIVES

CLEVELAND, May 28 .- While being pursued by Detective Wilson early today two men, thought to be freight-car robbers, jumped into the river and, i is supposed, were drowned or killed by shots fired at them.

A detective discovered four men i the Baltimore and Ohio yards acting in a suspicious manner. The men separated, and disregarding the order to halt, fied. Wilson pursued two of them toward the river, the detective firing his

revolver repeatedly as he ran. hesitation the two me ed into the river, which was swolen by spring floods. Wilson ordered the to return, and upon their failure do so he fired a dozen shots at them

has done for me" A moment e disappeared in the water. man reached a bridge abuthe clung there the detective

Before leaving her, Mrs. Livingston says, Barnard told her to write him at the Union League Club under the name importer and member of the Union of "W. H. Balley," which he wrote on letter would be forwarded to him. He told her he had to go to his estate at Aiken, S. C., for a few days, but would fulfil his promises to her on his return. In telling her story, Mrs. Livingston

Called at the Grenoble.

"When Mr. Barnard answered my letter and called at the Grenoble to see me he appeared to be such a perfect gentleman and was so frank about his wife and daughter that he won my confidence. I was determined to make a success on the stage, although such a course was opposed by my aunt and grandmother. I had read how wealthy New York men and women had helped other girls to make a career, and I hoped that I would be equally formate in finding a friend.
"After a few days I wrote to him at

the Union League Club, but got no reply in a week. Then I called up 'W. H. Bailey' on the telephone, and to my surprise a strange man answered. This stranger said he was W. H. Bailey, and that he did not know me and had never written or seen me. I told him I had written to him at the Union League Club, and he said he would send and get the letter. Later I called him up again, and he said he had received and read the letter, but knew nothing about the matter. On my request he returned the letter to me. It was a letter in had introduced himself as Mr. Bailey to fulfil his promises and advise me. I became desperate, and determined to go to Aiken and find the man who had tricked me.

"I did go to Aiken, and through in-quiries learned that W. H. Barnard was building roads through his estate. met the man I knew as 'W. H. Bailey' on the street while on my way to th post-office.

"I began to upbraid him, and egged me to be quiet and asked me to return to New York. He offered m do, but he thought it best under the \$130 in bills to pay my way back, but I refused the money. He begged me to return to New York, and said that he would return on May 1 and fulfil his promises. I agreed and came back to New York. I heard nothing from him, and finally called him up on the telephone. I was told that he would not return until the 15th. I then sought legal advice. I was told that Mr. Bar-nard came back in answer to the law-

yer's letter on May 6 or 7. "I have never been able to see him since, although I have tried several times. I was referred to George Gor don Battle, Mr. Barnard's attorney, but he kept putting me off. I was told that an offer of settlement had been made, but the conditions were such that could not accept.
"I finally came to the conclusion that

that my only redress lay through the

denounced the whole affair as of attempted blackmail. He said: "This woman has been trying to ge from me for some time. I intend to fight the case to a finish. I met her only once. I have been served with papers in her suit and her allegations are shameful. I shall say nothing further until I have seen my lawyer.' George Gordon Battle, Mr. Barnard's

attorney, was seen and said: "It is a case of a woman trying to get money and nothing more. Mr. Barnard is a man of great prominence and good repute, and he will fight the suit vigorously. He met the woman only once, under what circumstances I wil

not say at present."

W. H. Bailey, one of the oldest mem bers of the Union League Club, was seventh street. He said it was quite seventh street. He said it was quite true that Mrs. Livingston had called him up by telephone and that he had sent to the Union League Club and secured the letter as she had said.
"I do not know Barnard personally, although he joined the Union League Club in 1888," said Bailey. "The woman called me up again and begged me to return the letter to her. I did so, inclosing it in another envelope and addressing it to the Grenoble Hotel. I know nothing more about the matter."

### rushed down to the spot where the sup-

posed robber was last seen, but no sign of him could be found. The bridge ender said the man had doubtless gone The river will be dragged by the lifesaving crew. It is said the men had stolen a number of car journals.

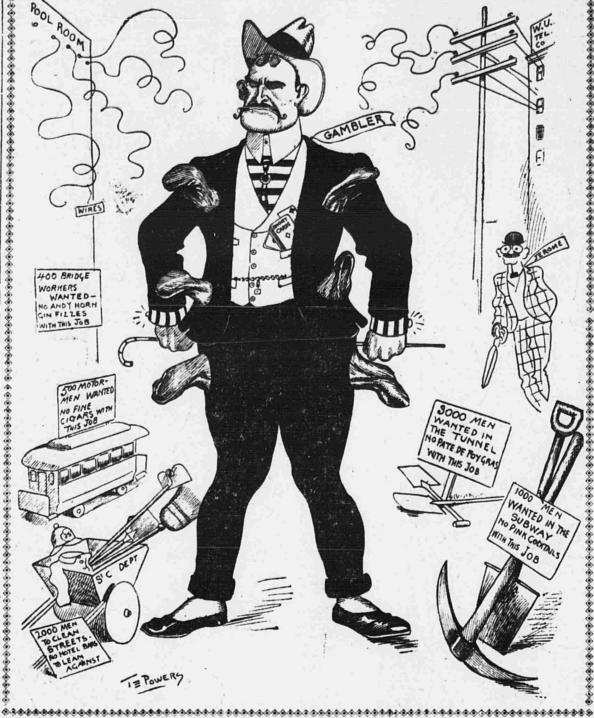
#### DISLOCATED JAW BY LAUGH

Harlem Hospital, was twice called to the Harlem Police Court to-day to attend a man who, twice within an hour. Edward Lyons, twenty-one years, of No. 582 Eighth avenue. Lyons was arested last evening on suspicion of havng stolen a scarfpin valued at \$30.

shortly after 8 o'clock this morning while some of the prisoners were cracking jokes Lyons burst into a hearty laugh. When he got through he found his jaw stubbornly refused to assume its natural position. He was in terrible pain as he sat with mouth wide open until Dr. Lawrence arrived.

At about 9.30 o'clock Lyons zawned. And again his jaw caught. The surgeon once more put back the man's jaws in position and bandages were tied over the man's face to keep the bones in position. Later the orisoner was discharged, there being no prosecution.

"BACK TO THE ASHCART!" By T. E. Powers.



The wires are down and the gambler will have to go to work.

## 15,000 CHILDREN

in Central Park as the Guests of the McManus ...sccia-

ade from the home of Assemblyman Mchome and Manus, at No. 452 West Forty-ninth had reared him in his own home, s a case street, to the park behind three bands. Hickey lived in the building and was Hebrew Orphan Asylum Band and the

hours, however, as every one of the 15,000 girls and boys wanted to head the parade. Argument and persuasion had no effect upon them, and they struggled and fought for positions, much to the car struck Hickey on the back of the neck and he died without making an outery.

J. Kelly. President of the association Mr. Kelly is an agent of the Society vention of Cruekty to dren, but he had the task of his life in keeping from being overwhelmed b the mob of hungry boys and girls.

All of the fifteen thousand were a last provided with the lunches they scrambled for and a wild rush followed for cozy places on the green. Twelve year-old Margaret Kelly, of No. 35 West Forty-ninth street, was the May Queen, and John A. Kennedy, of No 500 West Forty-ninth street, was King of May.

The afternoon was spent in a delightful frolic on the common and a
spirited ball same between teams from
Public Schools Nos. 17 and 51.

#### MRS. MEYERS WON HER CASE

Decree Granted to Actress Meyer -Previous Mistake Corrected. A news item in The Evening World of Tuesday last stated that Justice Mc Call had granted a decree of divorce to Clarence Meyers, a commercial trav eller, who married, in 1897, Pearl Mey-

Ambulance Surgeon Called Twice
Within Hour to Treat Prisoner.

Ambulance Surgeon Lawrence, of the Harlem Hospital, was twice called to the Harlem Police Court to-day to attend a man who, twice within an hour, had dislocated his jaw. The man was Edward Lyons, twenty-one years, of No. 2582 Eighth avenue. Lyons was ar-

Iron Steamboat Season. The Iron Steamboat Company wi open its season on Saturday next with a full fleet of boats put in perfect trim

American Drops Dead in Naples. NAPLES, May 28.—Samuel L. E. Crocker, of Taunton, Mass., brother-inlaw of the late Gen. Darius N. Couch, U. S. A., dropped dead yesterday in front of the Royal Palace.

### ELEVATOR RUN BY LUCANIA HERE AFTER AT MAY PARTY NEPHEW KILLS HIM PLEASANT SEA TRIP IMAGINARY ILLS

Boys and Girls Have Good Time Pathetic Death of Martin Hick- Ocean Like a Millpond During ey in an Accident Caused by the Orphan Boy He Had

Martin Hickey, janitor of the office within the boundaries of the Fifteenth building at Nos. 79 and 81 Nassau street, was instantly killed to-day by party in Central Park to-day as guests an elevator which his nephew, Edward gentle breezes, and the undisturbed The children marched in brilliant par- ning. The accident was most pathetic, as the boy is an orphan, and his uncle sengers aboard none suffered a

some rubbish at the foot of the ele-Mr. McManus led the parade in person.

The march was to have started at 9.30 its stoped over to pick it up, paying no attention to the elevator, which usual-back. It was delayed more than two o'clock. It was delayed more than two o'clock. It was delayed more than two o'clock.

no effect upon them, and they struggled and fought for positions much to the detriment of their gala clothing. They were only finally arranged in peaceful ranks when Mr. McManus assured those who fell into the reaf that they should lead the procession home.

When the great throng arrived at the park there were three wagons filled with box lunches in charge of William

#### CRUSHED UNDER FLEVATOR.

Henry Sutton Fatally Injured When Working in Shaft. Henry Sutton, thirty-six years old, o No. 39 West One Hundred and Sixt

No. 39 West One Hundred and Sixth street, was fatally injured this afternoon by being crushed under the freight elevator in the building at Nos. 23 and 25 West Twenty-first street.

Sutton was working in the elevator shaft when the lift suddenly descended upon him, breaking his back and crushing in his ribs. He was taken to Bellevue Hospital. Adler Gancher, the elevator man, was arrested and taken to the West Thirtieth street station.

#### SCOTT M'CORMACK ILL.

brooklyn Politician Said to Be in a Sanitarium. It is reported here that Scott Me

ormack, a well-known politician and sporting man of Brooklyn, is in a Flushing sanitarium in a serious condition. He became ill of pneumonia at his home, in Brooklyn, and subsequently had a stroke of paralysis.

It is said he was taken Thursday night to the sanitarium, where all information regarding the ation regarding the case was red. cCormack is forty-two years of age a resident of the Eighteenth Ward Brooklyn. He was a partner of the "Big Jim" Kennedy, the well-wn sporting man, who was his ther-in-law.

#### SHOCK KILLS AGED WOMAN.

Down by Trolley Car. Mrs. Margaret Garvey, eighty-six years old, died in the J. Hood Wright Hospital to-ady after having been struck by a Columbus avenue car at

She was crossing to Ninety-eighth street.

She was crossing the street near her home at No. 387 Columbus avenue and became confused by cars going in different directions. While she was knocked down, she was not run over, nor were any bones broken, but it is believed that her extreme age made her unable to stand the shock and consequent excitement.

the Big Steamship's Voyage -John T. Barrett, After Travels Through Far East, Arrives

her pier in this city to-day after a voyage serene throughout. Cloudless skies even roll of the sea are writ in each day's log, and of the thousand pas-| ment's inconvenience through seasick-

were after the wireless operator received the entries for the Brooklyn Handicap and the 150 first cabin passengers made up a pool on the race. There was nearly \$1,000 in the pool, and tucket station, and so did not learn until yesterday of The Picket's brilliant

John T. Barrett, United States Minister to Panama, was among the Lucania's passengers, and on Tuesday evening he entertained both the first and second cabin with a lecture on his travels and observations in the Far-East. He did not take either side in the Russian-Japanese conflict.

There were also on board a number of engineers from different countries bound for the St. Louis Exposition, where they will engage their genius in devising some wonderful electrical displays.

in devising some wonderful deduction displays.

Mrs. R. M. Roche, a young Western woman, brought back the body of her husband on the Lucania. He died on the eastward volage ten days after he and his bride started on their honeymoon. She will accompany the body to her home in Michigan.

#### SQUARE CIRCLE ENTERTAINS.

folly Evening for the People of the Siegel Cooper Co. Big Store. The members of the Square Circle

the men's organization of the Siegel Cooper Company, comprising the members of the firm, buyers and heads members of the firm, buyers and heads of departments of the big Sixth arenue store, together with their families and friends, enjoyed an excellent vaudeville entertainment arranged especially for the occasion at the Lexington Operal-House Friday evening. Every available seat in the large auditorium was occupied. In the boxes were the heads of the firm and members of their families, together with the superintendents and managers who have labored so zealously in building up the popular trade mari. Scattered throughout the audiende were many salespeople connected with the store. The occasion was the second anniver-sary of the club. The various vaude-ville acts were genuinely meritorious and elicited unstituted commendation. Particularly praiseworthy, and that

and elicited unstinted commendation. Particularly praiseworthy, and that which gained the greatest enthusiasm, was the exceedingly clever skit of Miss Bessle Clifford, assisted by an interesting galaxy of merry malders, including the Misses Cotter, Hothersall, Bernard Russell, Judge, Pryor, Levy, Logan, Kelly, Eilliser, McWhannel, Marroa, Martin, Mahoney, Miselsky, Cohen, Dugan, Percy, Nolan, Haines, Willianis, Schroeder, Jonap, Greeman, Lewis and Kuhl.

Kuhl.

Others who came in for their share of praise were: Lenora Bundy, elocution-ist: Greg Patti, black-face comedian; Babe Lund, a singing comedian; Clifford and Harvey, clever song-and-dance artists; J. N. Sheehan, a pleasing vocalist; Clarice Vance, another very sweet vocalist; who, by the way, is a decided Southern beauty; James McEihern in clever imitations; Sherwood and Fox, illustrated songs, and others.

### DRAG POLICEMAN

Seizes Animals as They Were Dashing Madly Down Hill Toward Crowd of Children Directly in Their Path.

STEERS HORSES AGAINST FRONT STOOP OF HOUSE.

Patrolman Receives Several Cuts and Abrasions.

ive in the neighborhood of First avenue and One Hundred and Nineteenth street did not lose their May party and ome of them their lives to-day is due to the pluck of Policeman Farrell, of the East One Hundred and Twenty sixth street station, who gallantly stopped a pair of runaway truck horses as they were dashing upon the con-fused mass of children who were cross-

hTe horses were drawing a big empty ruck, and as they neared the One Hundred and Twenty-first street hill they took fright at a piece of paper and bolted. hTe big animals seized the bits in their teeth and pulled with such force that the reins snapped off short in the hands of Thomas J. Clark, the driver. Unchecked, the frightened animals galloped down the steep bill, making direct for the group of children carrying their May pole and lunch baskets. Just at this moment Policeman Farrell turned into First avenue. The runaway team was thundering down the asphalt and the frightened children, hardly a block away, were huddled in helpless confusion in their path,

Farrell flung aside his club, tossed off his helmet and jumped for the horses' heads. He managed to get a hold of the off horse's bridle, when he was swept from his feet and dragged along the pavement. His pressure on the bridle, however, steered the horse up on the sidewalk, where the truck became wedged against a stoop and stopped

# CAUSED SUICIDE WISE

George H. Griffiths, Out of Employment, Drinks Carbolic Was Slowly Overtaking Him.

No. 272 West Eleventh street, killed himself in the room adjoining the office Washington Life Building, at No. 141 Broadway, yesterday was that he could not be persuated that he was not phys ically and mentally disintegrating. For a year Griffiths had been out employment. Previous to that time h was one of the officers of the Green wich Life Insurance Company, but did not meet with great success in that business. His health began to fail on account of a nervous affection. Latterly he suffered from nervous prostra tion and imagined that paresis was overtaking him.

of Mr. Endicott, who lives at No. 16 Season's New Bathing Suits." West Thirty-eighth street and is a man of great wealth. The two had been out to lunch and returned to the offices the Washington Life Building. They had a long, animated conversation in had a long, animated conversation in which Mr. Endicott tried to lighten the spirits of Mr. Griffiths.

Suddenly Mr. Griffiths left the office and went into an adjoining room. About half an hour later the janitor found his lifeless body, an empty bottle of carbolic acid by his side.

At Mr. Endicott's office to-day it was said that no financial difficulties or entanglements of any kind were responsible for Mr. Griffiths's self taking-off. At his home Mrs. Griffiths, the dead man's mother, and his sister refused to talk about the case.

#### 65 PRISONERS DISCHARGED.

No Legal Evidence to Hold Men

Altogether there were sixty-five pris oners arraigned to-day before Magis trate Ommen in the Centre Street Cour in a raid on a prize fight within one hundred feet of the Oak street station. When the case was called Capt. Hodgins told Magistrate Ommen that while he was satisfied the men had gathere vet he had no legal evidence to suppor "The best charge I can make is dis

the Magistrate. quired Magistrate Ommen.

"Then you can't make that charge, returned the Magistrate, "the prisoner are discharged."

#### FELL OFF A FIRE TRUCK. Man Injured Foot After Jumping

Fire which started in the second floor f Johnson's foundry at Spuyten Duyvil

### RUNAWAY HORSES THE SUNDAY WORLD TO-MORROW

You Woke Up Rich

What would you do? "Bill" Smith, down in New Market, N. J., did the other day. He's doing a lot of things. The World Magazine tells Driver, Hurled from Seat, Has about them. J. Campbell Smith woke up rich sever years ago. He had a million and spent it. How he spent it is told in The World Magazine.

### 

May Never Have Seen

The President's Dashing Daughter,

but you can see two excellent photographs of her, taken within a fortnight, in The World Magazine. They show the very latest wrinkle in up-to-date gowns.

### You Interested in

"The Mystery of Thomas Hearne?" The conclusion of this striking story by B. Fletcher Robinson is in The World Magazine. "A Lickpenny Lover," too, is one of the best stories O. Henry ever wrote.

### Men Always Take

Good care of their health, but Prof. Chittenden thinks everybody eats too much. The reasons why are told in The World Acid, Believing that Paresis Magazine. There's also a striking article, "Fasted

to Madness by Order of the Sun Prophet."

### Ought to Know How to

Swim, now that Summer has come. The World Magazine has a Photo-Griffiths was a close personal friend graphic Lesson at the Public Baths and also "The

### You Keep a Secret if You learn how Washington womer

are learning Japan's secret science of self-defense? The World Magazine tells, and there are some good pictures in colors.

### In with the Good Peo-

ple who every Sunday have a chat with McCardell's Chorus Girl in The World's. Metropolitan Section and who follow the Metropolitan Survey, McCardell, Fornaro and Fogarty.

THE SUNDAY WORLD TO-MORROW.